



City of Marion Planning Board Meeting

AGENDA

Thursday, February 5, 2026 6:00PM

**Marion City Hall Annex Building
194 North Main Street**

- **Call Meeting to Order**
- **Approval of Minutes July 3, 2025**
- **Agenda changes and approval**
- **Public Comment**
- **New Business**

Item One

A request by Brian Smith to amend the City of Marion Unified Development Ordinance Section 4-3.4 *Specific Requirements by Land Use* to address standards and regulations regarding Accessory Dwelling Units in the Residential Zoning Districts.

Item Two

A request by Jo Ann Wainright to rezone 1.0 +/- acres located on Garden Creek Road, having the McDowell County Parcel Identification Number 1702.03-13-8743 from the C-2 General Business Zoning District to the R-2 Neighborhood Residential Zoning District.

- **Adjourn Meeting**

Any individual with a disability who needs an interpreter or other auxiliary aids, please contact City Hall at (828) 652-3551. To request services needed, please make the request 3-5 days prior to the meeting. For additional information or assistance, please contact the Planning and development Department at (828) 652-3551. Servicios de intérpretes están disponibles sin costo de acuerdo a la ley del Título VI.

STATE OF NORTH CAROLINA

COUNTY OF MCDOWELL

CITY OF MARION

July 3rd, 2025

The City of Marion Planning Board held a regular meeting on July 3rd, 2025, at 6pm at the Marion City Hall Annex Building.

Members Present: Ray Revis, Bob Elledge, and Matt Suttles

Members Absent: Randall Conley and John Morrow

Staff Present: Vance McNees, City Planner and Stephanie Davis, Permit Coordinator.

Others Present: None

Meeting Called To Order: 6:00pm

Approval of Minutes: June 5th, 2025

Board member Matt Suttles read the minutes aloud. Vance McNees gave an update about 3 properties for rezoning from C2 to R2. He stated that one of the three would have created spot zoning, which would have been illegal in North Carolina. Therefore, the property will not move forward with the other two properties. Mr. Suttles motioned to approve the minutes, Bob Elledge seconded and the motion was approved 3-0.

Approval of Agenda:

Vance McNees stated no changes to the agenda. Matt Suttles motioned to approve the agenda, seconded by Ray Revis, and the motion was approved 3-0.

Public Comments: None

New Business:**Item One: Request for Rezoning of 677 Stroud Street**

Chairperson Elledge read the item aloud, along with the staff report. Mr. Elledge asked if there were any questions. Ray Revis asked where Stroud Street is located, Vance McNees answered the question. Mr. McNees stated that staff supports the rezoning. Ray Revis motions to approve, Matt Suttles seconded, and the motion was approved 3-0.

Meeting Adjourned: The meeting was adjourned at 6:11pm.

**AN ORDINANCE
AMENDING PART IV UNIFIED DEVELOPMENT ORDINANCE
OF THE MARION CITY CODE TO DEFINE LAND USES**

WHEREAS, the City of Marion Planning Board and the Planning and Development Staff have recommended that the Marion City Code, Part IV Unified Development Ordinance be amended to change; and

WHEREAS, the City Council of the City of Marion find that the proposed amendment is consistent with the City of Marion Comprehensive Land Use Plan; and

WHEREAS, a legislative public hearing was conducted on Tuesday, February 17, 2026, by the City Council of the City of Marion, and, after hearing all persons wishing to comment, and upon review and consideration of the proposed amendments, it is the desire of the City Council of the City of Marion that the Marion City Code, Part IV Unified Development Ordinance be amended as outlined below.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARION, NORTH CAROLINA THAT:

Section 1. That Section 4-3.4. entitled *Specific requirements by land use* is hereby amended, and shall now read as follows (new language in bold):

Sec. 4-3.4. Specific requirements by land use.

Accessory dwelling unit (ADU).

- a. Must comply with North Carolina Residential Building Code for one- and two-family dwellings, including applicable provisions from the State fire prevention code.
- b. May be attached or detached from the principle structure;
- c. **One attached or detached accessory dwelling unit per property.**
- d. **Maximum size of 800 square feet.**
- e. **An additional accessory dwelling unit shall be permitted if the overall lot size is greater than 14,000 square feet. There shall be no more than two accessory dwelling units per lot.**
- f. **When permitted, the additional accessory dwelling shall not be the same type of unit as the existing accessory dwelling unit. There shall only be one attached and one detached accessory dwelling unit per property.**
- g. **Accessory dwelling units are required to have a separate entrance from the primary dwelling.**
- h. **The accessory dwelling unit shall not be deeded, conveyed, or separated in ownership from the property of the primary dwelling unit.**
- i. Cannot be subdivided from the property containing the principal single-family building.
- j. An accessory dwelling unit shall be connected to the City's sanitary sewer system.

- k. The primary residential dwelling shall include two-parking spaces. No additional parking is required for the accessory dwelling(s).
- l. If constructing an attached accessory dwelling unit, the external façade shall match or compliment that of the primary structure.**
- m. Shall comply with the same required setbacks as the principal structure.
- n. An accessory dwelling unit with a street-fronting elevation shall provide a 48-inch wide pedestrian entrance on that elevation utilizing a hard-surface material that is ADA compliant.
- o. There shall be no accessory dwelling units permitted on lots that have a duplex, triplex, and/or quadplex.**

Section 2. As to any conflict between this Ordinance and any parts of existing ordinances, the provisions of this Ordinance shall control.

Section 3. If any section, subsection, paragraph, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

Section 4. This Ordinance shall be in full force and in effect from and after the date of its adoption and approval.

Adopted and approved this the 17th day of February, 2026.

Stephen R. Little
Mayor

ATTEST: _____

Woody Ayers

City Manager/City Clerk

Ordinance number: O-26-02-17-1




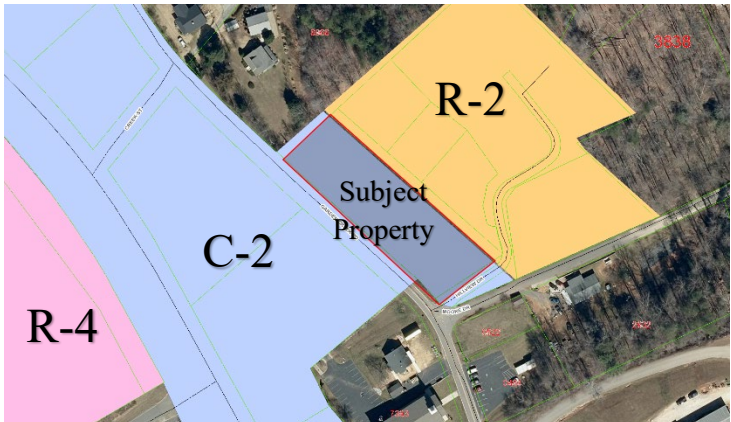
CITY OF MARION

PLANNING AND DEVELOPMENT

STAFF ANALYSIS

Zoning Map Amendment

CASE NUMBER:	RZ 26-01
Date of Submission:	December 22, 2025
A. PROPERTY INFORMATION	
Project Title:	Garden Creek - Wainright
PIN:	1702.03-13-8743
Address:	TBD Garden Creek Road, Marion, NC 28752
Owner:	Jo Ann L. Wainright
Applicant:	Jo Ann L. Wainright
Acreage:	1.0 +/- acres;
Existing Zoning District:	C-2 General Business
Proposed Zoning District:	R-2 Neighborhood Residential
Current Land Use Activity	Vacant
Future Land Use Designation	High Density Residential

B. LOCATION MAP	
Aerial Map	Zoning Map
	

C. ZONING AMENDMENT APPLICATION SUMMARY
<p>The Applicant is interested in rezoning the subject property to the R-2 Neighborhood Residential Zoning District. The parcel is currently vacant and zoned C-2 General Business. The property has a future-land-use designation of "High Density Residential." Therefore, the potential rezoning aligns with the City's future designation for this property. The applicant has identified an interest in a cottage-style residential community, which would have the support of the Planning and Development Department staff.</p>

D. LIST OF LAND USES PERMITTED BY RIGHT IN R-2 ZONING DISTRICT

Single-family dwelling	Cottage-Style Housing	Community Recreation Center
Duplex	Live-Work/Upper floor residential	Church
Multi-Family Dwellings	Non-Residential Accessory Buildings	Education Facility
Accessory residential dwelling units	Family Care Homes	Parks and Playgrounds
Manufactured Home (Doublewide only)	Rooming and Boarding Houses	Public Facilities
Courtyard Residential	Armory Facility	Religious Institutions
Townhomes	Cemetery	Off-Street Parking (residential)

E. COMPREHENSIVE LAND USE PLAN STATEMENT

GENERAL CHARACTER	LAND USE CHARACTERISTICS	ANTICIPATED LEVEL OF CHANGE
<p>High Density Residential areas have existing clusters of high-density residential development within the City. These areas offer both rental and ownership housing options, with a greater percentage of rental occupancy.</p> <p>Approximately half of the areas identified are rental housing in the form of mobile home parks, some of which may own the home and lease the land or lease both the home and the land. Higher density locations in closer proximity to downtown include apartment buildings, townhomes, and cottage-style developments.</p>	<p>Primary Land Uses: Single-family attached and multi-family dwellings</p> <p>Secondary Land Uses: Accessory uses to the residential typically regulated and maintained by property manager or HOA.</p> <p>Existing Zoning Districts: R-2 Neighborhood Residential</p> <p>Future Zoning District Designation: R-8 Urban Residential, NMU-12 Neighborhood Mixed-Use, R-16 Multi-family residential</p> <p>General Development Pattern: High Density</p>	<p>The primary level of change in these neighborhoods will be in the form of revitalization and enhancement of existing homes, and infill of vacant lots. These neighborhoods, if well maintained, have the potential to increase and maintain their value with little effort other than good maintenance.</p> <p>It is recommended that the City value and protect these neighborhoods not only for their local importance but also for their value in regards to providing stable, attractive housing opportunities. Because each neighborhood is distinct in character, design, an overlay district is recommended, which can include the residential neighborhood as well as a portion or all of contiguous zoning districts that by design and use contribute to the sustainability of the historic nature of the area, and which provide neighborhood-based goods and services.</p>

F. ADDITIONAL DOCUMENTATION SUBMITTED

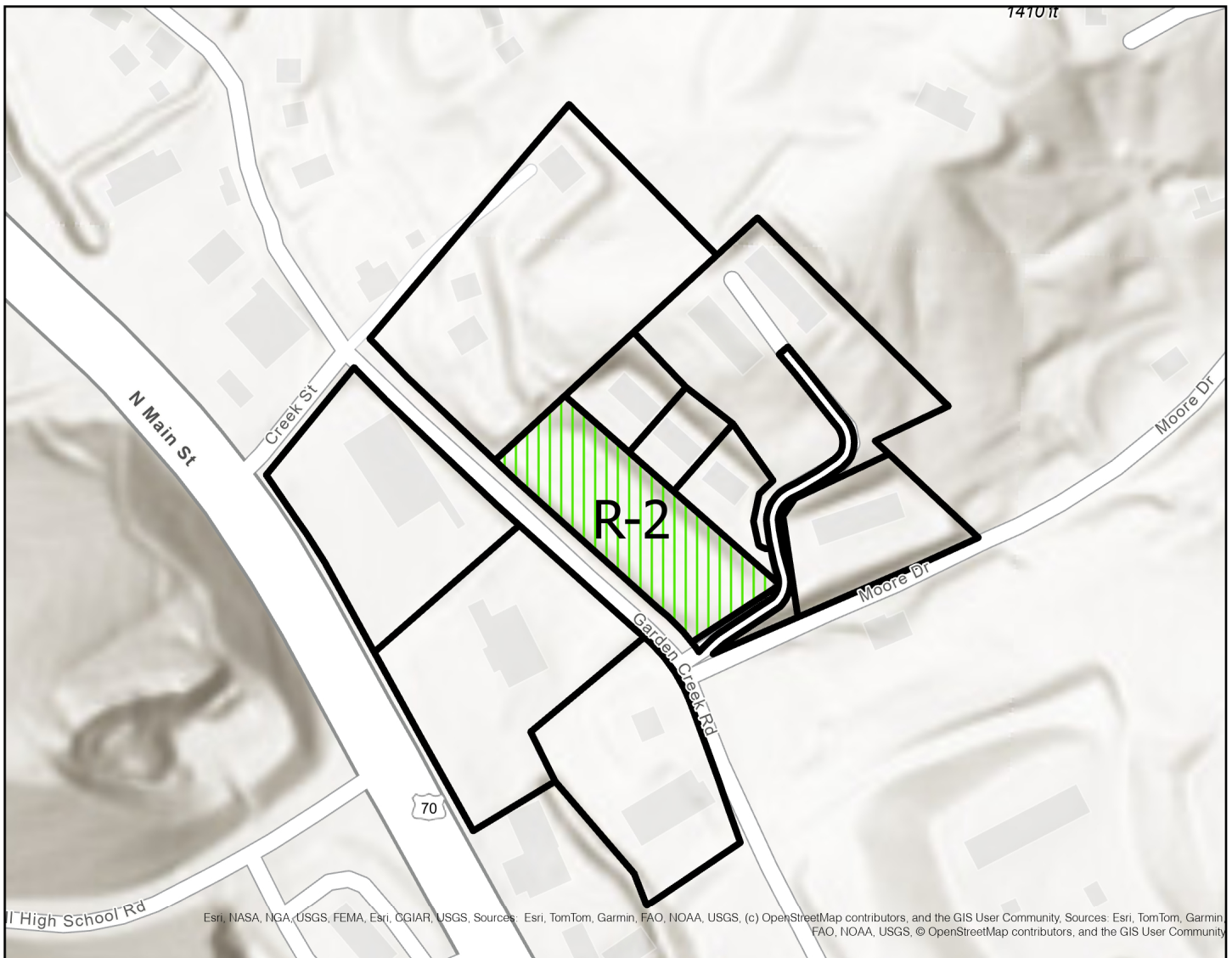
- Only the properly filled out application has been submitted.

G. SUMMARY OF STAFF COMMENTS AND RECOMMENDED CONDITIONS OF APPROVAL

Staff finds that the request to rezone the subject property from the C-2 General Business Zoning District to the R-2 Neighborhood Residential Zoning District is consistent with the City of Marion Comprehensive Land Use Plan and will not have an adverse impact on the surrounding area. Further, additional high-density residential will have a positive economic impact.



City of Marion - Exhibit A Map Rezoning Petition



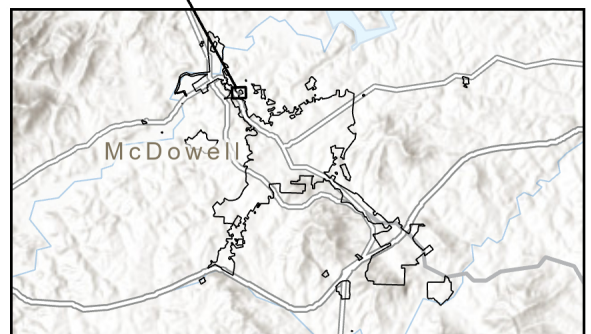
RZ 26-01

Address: Currently Undefined

Project Description: Rezone property to the R-2 Neighborhood Residential District.

Applicant(s): JoAnn L. Wainwright

Parcel Number: 1702038743



Legend

Project Site



Adjacent Parcels



Jwain48@gmail.com



CITY OF MARION

194 N. Main Street • P.O. Drawer 700 • Marion, NC 28752

Planning & Development Department

ZONING DISTRICT MAP AMENDMENT APPLICATION

APPLICATION FEE: \$400.00
(PLEASE TYPE OR PRINT IN INK)

For Office Use Only

Fee Paid \$ _____

Cash _____ Check # _____

Application # _____

Date Received _____

All applications must be deemed complete prior to the item being scheduled.

Property Owner's Name: JoAnn L. Wainright Phone Number: 828-467-0538
Property Owner's Mailing Address: P.O. Box 23, Little Switzerland, NC. 28749
Applicant's Name (if different from above): _____

Applicant's Mailing Address: _____ Phone Number: _____

Note: Applicant must submit a notarized letter authorizing them to act on the property owner's behalf and stating the Applicant's name, address and phone number.

Physical Address of Property: 9999 Garden Creek Road
Parcel ID Number (PIN) 1702⁰³13-8743 Lot Size: 1.18 acres

Existing Use: vacant lot Existing Zoning District: C-2

Proposed Use: 55+ cottages Proposed Zoning District: R-2

Description of property and surrounding uses: patio homes and apartment complexes (Corner of Garden Creek and Hillview - Residential area)
Vacant property

This request is made for the following reasons: to rezone the property from commercial to residential to facilitate the development of a 55+ cottage community

I CERTIFY THAT ALL OF THE INFORMATION PRESENTED IN AND WITH THIS APPLICATION IS TO THE BEST OF MY KNOWLEDGE, IS TRUE, COMPLETE AND ACCURATE.

JoAnn L. Wainright
SIGNATURE OF APPLICANT

Dec. 22, 2025
DATE

STATE OF NORTH CAROLINA
COUNTY OF MCDOWELL

I, Stephanie D. Davis a Notary Public, certify that JoAnn L. Wainright personally came before me this day and acknowledged the due execution of the foregoing instrument. IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal, this the 22 day of Dec, 2025.

SEAL:



Stephanie D. Davis
Notary Public Signature

My Commission Expires 7-20-30